

IN THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) ~~Method~~ A method for operating a boiler of a device ~~such as a coffee maker, which, wherein the~~ boiler comprises a container for containing water and a heating element for heating the water to a predetermined temperature, the method comprising the following successive ~~steps~~ acts:

[[1]] activating the heating element of the boiler during a predetermined length of time;

[[2]] measuring at least one characteristic of the thermal ~~behaviour~~ behavior displayed by the boiler as a consequence of the ~~activation~~ activating act of the heating element including recording a first temperature at a first time and recording a second temperature at a second time, wherein the first time is after a first time period after the predetermined length of time, and the second time is after a second time period after the predetermined length of time and the first time;

[[3]] verifying whether the measured characteristic is in a range associated with thermal ~~behaviour~~ behavior of a boiler filled with water or a range associated with thermal

behaviour-behavior of an empty boiler;

[[4]] only in case the measured characteristic appears to be in the range associated with thermal behaviour-behavior of an empty boiler, filling the container of the boiler with a predetermined quantity of water; and

[[5]] activating the heating element of the boiler to heat the water in the container of the boiler to the predetermined temperature.

2.(Currently Amended) ~~Method-~~The method according to claim 2, wherein the ~~third step-~~verifying act comprises comparing the measured characteristic with a reference characteristic, which is between the range associated with thermal behaviour-behavior of a boiler filled with water and the range associated with thermal behaviour-behavior of an empty boiler, in order to determine whether the measured characteristic is at a side of the reference characteristic where the range associated with thermal behaviour-behavior of a boiler filled with water is or a side of the reference characteristic where the range associated with thermal behaviour-behavior of an empty boiler is.

3.(Currently Amended) ~~Method-~~The method according to claim 1, wherein the ~~second step-~~measuring act comprises measuring a temperature change in the boiler at a measuring position which is located at a distance from the heating element, over a time interval having a predetermined length and a predetermined starting time with respect to a

starting time of the operation of the heating element; and wherein the ~~third step~~ verifying act comprises comparing a measured temperature change with a predetermined reference temperature change which is below a range of temperature changes associated with an empty boiler, and which is above a range of temperature changes associated with a boiler filled with water.

4.(Currently Amended) ~~Method~~ The method according to claim 1, wherein the device comprises a pump for pumping water to the boiler, and wherein the ~~fourth step~~ filling act comprises activating the pump during a predetermined length of time.

5.(Currently Amended) ~~Method~~ The method according to claim 1, wherein the ~~second step~~ measuring act is performed after the predetermined length of time during which the heating element of the boiler is activated has lapsed.

6.(Currently Amended) ~~Method~~ The method according to claim 5, wherein the ~~second step~~ measuring act is performed after a temperature change of a filled boiler, measured over a predetermined time interval, has become smaller than a temperature change of an empty boiler, measured over the same time interval.

7.(Currently Amended) ~~Method~~ The method according to claim 1, wherein the ~~fifth~~

step-second activating act is initiated before the fourth-step-filling act has finished.

8.(Currently Amended) ~~Method-~~The method according to claim 1, wherein the predetermined quantity of water with which the container of the boiler is filled during the fourth-step-filling act is equal to or smaller than the volume of the container.

9.(Currently Amended) ~~Device such as a coffee maker,~~A device comprising:
a boiler which comprises a container for containing water and a heating element for heating the water to a predetermined temperature, and

a controller which is programmed such as to perform the ~~method for operating the boiler according to claim 4~~ successive acts of:

activating the heating element of the boiler during a predetermined length of time;
measuring at least one characteristic of the thermal behavior displayed by the boiler as a consequence of the activation of the heating element including recording a first temperature at a first time and recording a second temperature at a second time, wherein the first time is after a first time period after the predetermined length of time, and the second time is after a second time period after the predetermined length of time and the first time;

verifying whether the measured characteristic is in a range associated with thermal behavior of a boiler filled with water or a range associated with thermal behavior of an

empty boiler;

only in case the measured characteristic appears to be in the range associated with thermal behavior of an empty boiler, filling the container of the boiler with a predetermined quantity of water; and

activating the heating element of the boiler to heat the water in the container of the boiler to the predetermined temperature.

10.(Currently Amended) ~~Device~~The device according to claim 9, further comprising a temperature detector for detecting a temperature inside the boiler, which temperature detector is located at a distance from the heating element.

11.(New) The method of claim 1, wherein the predetermined length of time is 12 seconds, the first time period is 6 seconds so that the first time is 18 seconds from the activating act, and the second time period is 3 seconds so that the second time is 21 seconds from the activating act.

12.(New) The method of claim 1, wherein the predetermined length of time is greater than the first time period, and the first time period is greater than second time period.

13.(New) The method of claim 1, wherein the device comprises a coffee maker.

14.(New) The device of claim 8, wherein the predetermined length of time is greater than the first time period, and the first time period is greater than second time period.

15.(New) The device of claim 8, wherein the device comprises a coffee maker.